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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MIDTRONICS, INC.

Plaintiff,

v.

DHC SPECIALTY CORPORATION,

Defendant.

No. 04 C 2423

Judge Amy J. St. Eve

STIPULATED ORDER OF DISMISSAL AND CONSENT JUDGMENT

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, and in reliance upon the Settlement Agreement by and between Midtronics, Inc. and DHC Specialty Corporation, the parties, by and through their respective counsel, stipulate and agree and consent as follows:

1. This Court has jurisdiction over the subject matter of the claims in the Complaint and over the parties to this Consent Judgment.


2. Midtronics, Inc. is the owner of U.S. Patent No. 5,821,756 ("the '756 patent") and U.S. Patent No. 5,757,192 ("the '192 patent"). The parties agree that the '756 patent and the '192 patent are valid and enforceable.

3. Midtronics, Inc. has filed this action against DHC Specialty Corporation for infringement of one or more claims of the '756 patent and the '192 patent by certain DHC devices.


4. The Complaint for Patent Infringement is hereby dismissed without prejudice, each party to bear its own costs.

5. This Court shall retain jurisdiction for purposes of enforcing the Settlement Agreement.

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SO ORDERED this 23 day of February 2006


JUDGE AMY J. ST. EVE